IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE UNDER RULE 312 EXPEDITED HANDLING PROCEDURES

MAR 2 4 2004 PAR 2

Serial No. 09/722,377 Examiner: Ibrahim, M.A.

Filed: November 28, 2000 Date: March 24, 2004

Title: POLYNUCLEOTIDE AND ITS USE FOR MODULATING A DEFENCE RESPONSE

IN PLANTS

In re Patent Application of

SCHULZE-LEFERT et al

Mail Stop Issue Fee

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

AMENDMENT UNDER RULE 312

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Correspondence Address Indication Form Attached. Fees are attached as calculated below: Total effective claims after amendment minus highest number previously paid for (at least 20) = 20 \$ 18.00 \$ 0.00 Independent claims after amendment minus highest number previously paid for (at least 3) = 3 \$ 86.00 0 Χ 0.00 If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper) 0.00 Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months) 0.00 Terminal disclaimer enclosed, add \$ 110.00 0.00 First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00) 0.00 Please enter the previously unentered , filed Submission attached Subtotal 0.00 If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00 Applicant claims "small entity" status. Statement filed herewith Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00 Assignment Recording Fee (\$40.00) \$ 0.00 Other: 0.00 TOTAL FEE ENCLOSED 0.00

The Commissioner is hereby authorized to charge any <u>deficiency</u>, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A <u>duplicate</u> copy of this sheet is attached.

NIXON & VANDERHYE P.C.

By Atty: Mary J. Wilson, Reg. No. 32,955

1100 North Glebe Road, 8th Floor Arlington, Virginia 22201-4714 Telephone: (703) 816-4000 Facsimile: (703) 816-4100

MJW:tat

Signature:

re: Mary J. W. 1500)

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Allowed: December 24, 2003

SCHULZE-LEFERT et al

Atty. Ref.: 620-125; Confirmation No. 5106

Appl. No. 09/722,377

TC/A.U. 1638

Filed: November 28, 2000

Examiner: Ibrahim, M.A.

For: POLYNUCLEOTIDE AND ITS USE FOR MODULATING A DEFENCE

RESPONSE IN PLANTS

* * * * * * * * *

March 24, 2004

Mail Stop Issue Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

AMENDMENT UNDER RULE 312

Kindly amend the above-identified application as follows: